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10/066,167	01/31/2002	Sabrina D. Boler	MICR0259	2709

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EXAMINER

BLACKMAN, ANTHONY J

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/066,167

Applicant(s)

BOLER ET AL

Examiner

ANTHONY J BLACKMAN

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>04/30/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. When making claim amendments, the applicant is encouraged to consider each reference in its entirety, including those portions that have not been cited by the examiner and their equivalents as they may most broadly and appropriately apply to any particular anticipated claim amendments.

Claim Objections

2. Claim 25(d) objected to because of the following informalities: "...without modifying the data the define **the** media object...". Examiner interprets the highlighted word, the, as being a typing error and should be interpreted as the word **that**.

Appropriate correction is required.

Claim 35 objected to because of the following informalities: "...aid the user to one of **perform** the best modification...". Examiner interprets the highlighted word, perform, as providing an understanding of the context of the feature, however, examiner interprets the above feature as best understood. Appropriate correction is required.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 4/30/02 is being considered by the examiner.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by SULL et al, US Patent No. 2002/0069218.

6. Examiner interprets SULL et al to disclose A method for lossless editing of a media object, comprising the steps of:

- (a) accessing data defining the media object to produce a representation of the media object (sections 0070 and 0523);
- (b) enabling a user to selectively edit the representation of the media object by applying a modification to the representation (sections 0070 and 0523);
- (c) rendering a modified media object in accord with the modification to the representation (section 0165); and

(d) storing metadata that define the modification applied to the representation in association with the media object, without modifying the data that define the media object (sections 0070 and 0523).

7. As per claim 2, SULL et al meet limitations of claim 1, including, the method of Claim 1, wherein the media object comprises an image (section 0037), and wherein the modification comprises the step of cropping the representation of the media object (section 0523), said metadata defining a size and a position of a crop outline on the representation of the image to indicate limits of a cropped image (section 0523).

8. As per claim 3, SULL et al meet limitations of claim 2, further comprising the steps of:

(a) enabling the user to again selectively edit the representation of the media object, by applying a further modification that changes the limits of the cropped image on the representation of the media object (section 0523);

(b) updating the metadata to define the modification by indicating new limits of the cropped image (section 0523); and

(c) rendering the modified media object in accord with the further modification (section 0165).

9. As per claim 4, SULL et al meet limitations of claim 2, including, wherein the image is stored in a Joint Photographic Experts Group (JPEG) format (section 0220).

10. As per claim 5, SULL et al meet limitations of claim 1, wherein the step of storing the metadata comprises the step of storing a stream of the metadata in a substorage of an object linking and embedding (OLE) file (sections 0165 and 0220).

11. As per claim 6, SULL et al meet limitations of Claim 2, including, wherein the step of rendering comprises the step of rendering the cropped image without portions of the representation that lie outside the limits of the cropped image (section 0165).

12. As per claim 7, SULL et al meet limitations of Claim 6, including, further comprising the step of compressing data for a portion of the media object within the limits of the cropped image (section 0081).

13. As per claim 8, SULL et al , meet limitations of Claim 2, further comprising the step of storing the cropped image as a JPEG stream of data in a substorage of an OLE file (sections 0165 and 0220).

14. As per claim 9, SULL et al meet limitations of Claim 8, including, wherein the OLE file defines a collection of one or more images (section 0165).

15. As per claim 10, SULL et al meet limitations of Claim 2, including, further comprising the step of providing input to the metadata for storage that defines at

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least one of an image title, an image number, an image rotation, an image width, and image height, and an image source file location for the media object (the at least underlined feature is met in section 0032).

16. As per claim 11, SULL et al meet limitations of Claim 2, including, further comprising the step of perceptibly differentiating a first portion of the representation of the image from a second portion of the representation of the image, wherein the first portion and second portion are demarcated by the crop outline (sections 0037 and 0523).

17. As per claim 12, SULL et al meet limitations of claim 1, including, a machine-readable medium having machine instructions for performing the steps of claim 1 (sections 0040, 0459-0461 and figure 25).

18. As per claim 13, SULL et al meet limitations of claim 2, including, a machine-readable medium having machine instructions for performing the steps of Claim 1 (sections 0040, 0459-0461 and figure 25).

19. As per claim 14, examiner interprets SULL et al to disclose a system for lossless editing of a media object, comprising:

- (a) a processor/ virtual video editor (sections 0076-0078, 0121, 0128, 0463, 0466 and 0472);

- (b) a display in communication with the processor (sections 0076-0078, 0121, 0128, 0463, 0466 and 0472);
- (c) an input device in communication with the processor (sections 0076-0078, 0121, 0128, 0282, 0461); and
- (d) a memory in communication with the processor, said memory storing the media object and machine instructions (sections 0076-0078, 0282, 0461, 0463, 0466 and 0472) that cause the processor to:
 - (i) access data defining the media object, to produce a representation of the media object (sections 0070 and 0523);
 - (ii) enable a user to employ the input device to selectively edit the representation of the media object by applying a modification to the representation (sections 0070 and 0523);
 - (iii) render a modified media object in accord with the metadata (section 0165); and
 - (iv) store metadata that define the modification applied to the representation in association with the media object, without modifying the data that define the media object (sections 0070 and 0523).

20. As per claim 15, SULL et al meet limitations of claim 14, including, wherein the media object comprises an image (section 0037), and wherein a user is enabled to crop the representation of the media object (section 0523), said metadata defining a size and

a position of a crop outline on the representation of the image on the display, to indicate limits of a cropped image on the representation of the media object (section 0523).

21. As per claim 16, SULL et al meet limitations of claim 15, including, wherein the machine instruction further cause the processor to:

- (a) enable a user to employ the input device to again selectively edit the representation of the media object, by applying a further modification that changes the limits of the cropped image on the representation of the media object appearing on the display (section 0523);

- (b) update the metadata to define the modification by indicating new limits of the cropped image (section 0523); and

- (c) render the modified media object on the display in accord with the further modification (section 0165).

22. As per claim 17, SULL et al meet limitations of claim 15, including, wherein the image is stored in the memory in a Joint Photographic Experts Group (JPEG) format (section 0220).

23. As per claim 18, SULL et al meet limitations of claim 15, including, wherein the metadata are stored in the memory as a stream of data in a substorage of an object linking and embedding (OLE) file (sections 0165 and 0220).

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24. As per claim 19, SULL et al meet limitations of claim 15, including, wherein the machine instructions further cause the processor to render the cropped image without portions of the representation that lie outside the limits of the cropped image (section 0165).

25. As per claim 20, SULL et al meet limitations of claim 19, wherein the machine instructions further cause the processor to compress data for a portion of the media object within the limits of the cropped image (section 0081).

26. As per claim 21, SULL et al meet limitations of claim 15, including, wherein the machine instructions further cause the processor to store the cropped image as a JPEG stream of data in a substorage of an OLE file (sections 0165 and 0220).

27. As per claim 22, SULL et al meet limitations of claim 15, including, wherein the OLE file defines a collection of one or more images (section 0165).

28. As per claim 23, SULL et al meet limitations of claim 15, including, wherein the machine instructions further cause the processor to provide input to the metadata for storage in the memory, wherein said input defines at least one of an image title, an image number, an image rotation, an image width, and image height, and an image source file location for the media object in the memory (the at least underlined feature is met – section 0032).

29. As per claim 24, SULL et al meet limitations of claim 15, including, wherein the machine instructions further cause the processor to perceptibly differentiate a first portion of the representation of the image from a second portion of the representation of the image, wherein the first portion and second portion are demarcated by the crop outline (sections 0037 and 0523).

30. As per claim 25, examiner interprets SULL et al to disclose a method for lossless modification of a media object, comprising the steps of:

- (a) accessing data defining the media object to produce a representation of the media object (sections 0070 and 0523);
- (b) enabling a user to perform a first modification of the representation of the media object (sections 0070 and 0523);
- (c) rendering the first modification- of the representation (section 0165);
- (d) storing metadata that define the first modification applied to the representation of the media object, without modifying the data the define the media object (sections 0070 and 0523);
- (e) subsequently accessing the media object and metadata (sections 0070 and 0523);
- (f) rendering the representation of the media object as defined by the metadata (section 0165);

(g) enabling the user to further modify the first modification of the representation of the media object, to produce a second modification (sections 0070 and 0523); and

(h) storing metadata that now define the second modification of the media object, without modifying the data that define the media object (sections 0070 and 0523).

31. As per claim 26, SULL et al meet limitations of claim 25, including, wherein the representation of the media object comprises one of a static image, a video image, and an audible sound (the at least underlined feature is met – sections 0070 and 0523).

32. As per claim 27, SULL et al meet limitations of claim 25, including, wherein the modification comprises at least one of the steps of cropping, rotating, and trimming an image that comprises the representation of the media object (the at least underlined feature is disclosed (section 0523)).

33. As per claim 28, SULL et al meet limitations of claim 25, including, wherein the metadata comprises dimensions of a crop outline (section 0523).

34. As per claim 29, SULL et al meet limitations of claim 25, including, further comprising the step of perceptibly differentiating a first portion of the representation of the media object from a second portion of the representation of the media object to aid

the user to one of perform the first modification and further modify the first modification (sections 0037 and 0523).

35. As per claim 30, SULL et al meet limitations of claim 25, including A machine-readable medium/(CDs, DVDs, FLOPPYs, DISKs and other optical and mechanical mediums) having machine instructions for performing the steps of Claim 25 (sections 0059, 0070, 0351, 0365 and 0461).

36. As per claim 31, examiner interprets SULL et al to disclose a system for lossless modification of a media object, comprising:

- (a) a processor (sections 0076-0078, 0121, 0128, 0463, 0463 and 0472);
- (b) an input device in communication with the processor (sections 0076-0078, 0121, 0128, 0282, 0461, 0463 and 0472); and
- (c) a memory in communication with the processor, said memory storing data defining a media object and machine instructions (sections 007-0078, 0121, 0128, 0282, 0461, 0463 and 0472))that cause the processor to:
 - (i) access the data defining the media object to produce a representation of the media object (sections 0070 and 0523);
 - (ii) enable a user to employ the input device to perform a first modification of the representation of the media object (sections 0070 and 0523);

- (iii) render the first modification of the representation (section 0165);
- (iv) store metadata that define the first modification applied to the representation of the media object in the memory, without modifying the data the define the media object (sections 0070 and 0523);
- (v) subsequently access the media object and metadata in the memory (sections 0070 and 0523);
- (vi) rendering the representation of the media object as defined by the metadata (section 0165);
- (vii) enabling the user to further modify the first modification of the representation of the media object, to produce a second modification (sections 0070 and 0523); and
- (viii) storing metadata that now define the second modification of the media object in the memory (sections 0070 and 0523).

37. As per claim 32, SULL et al meet limitations of claim 31, wherein the representation of the media object comprises one of a static image, a video image, and an audible sound ((the at least underlined feature is met – sections 0070 and 0523).

38. As per claim 33, SULL et al meet limitations of claim 31, wherein the modification comprises one of cropping, rotating, and trimming an image that comprises the representation of the media object (section 0523).

39. As per claim 34, SULL et al meet limitations of claim 31, wherein the metadata comprises dimensions of a crop outline (section 0523).

40. As per claim 35, SULL et al meet limitations of claim 31, wherein the machine instructions further cause the processor to perceptibly differentiate a first portion of the representation of the media object from a second portion of the representation of the media object to aid the user to one of perform (sections 0070 and 0523)the first modification and further modify the first modification (sections 0070 and 0523 disclose the features of the claim language of claim 35 as best understood by the examiner).

41. As per claim 36, examiner interprets SULL et al to disclose a machine-readable medium having a data structure for lossless modification of a media object comprising:

- (a) metadata defining a modification that is to be applied when rendering data defining a media object (sections 0070, 0165 and 0523); and
- (b) the data defining the media object (sections 0070, 0165 and 0523).

42. As per claim 37, examiner interprets SULL et al to disclose a machine-readable medium having a data structure for a collection of media objects comprising a substorage (setions 0165 and 0220), wherein the substorage comprises data defining a media object (sections 0165 and 0220); and metadata defining a modification that is to

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be applied to a representation of the media object when the data defining the media object is rendered (sections 0070 and 0523).

Conclusion

43. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. BETZ et al, US Patent Application Publication, Pub. No. US 20020089519 disclose editing video and media data see figures 6 and 8b; KIRANI et al, US Patent Application Publication, Pub. No. US 20020032027 disclose editing media processing see figure 6b; and ALVAREZ et al, US Patent Application Publication, Pub. No. US 20010054131 disclose lossless compression and decompression/uncompression techniques.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY J BLACKMAN whose telephone number is 703-305-0833. The examiner can normally be reached on FLEX SCHEDULE.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW BELLA can be reached on 703-308-6829. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANTHONY J BLACKMAN
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